

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA**

Honorable Fredrick E. Clement
Fresno Federal Courthouse
2500 Tulare Street, 5th Floor
Courtroom 11, Department A
Fresno, California

PRE-HEARING DISPOSITIONS

DAY: TUESDAY
DATE: JUNE 14, 2016
CALENDAR: 1:30 P.M. CHAPTER 11 AND 9 CASES

GENERAL DESIGNATIONS

Each pre-hearing disposition is prefaced by the words "Final Ruling," "Tentative Ruling" or "No Tentative Ruling." Except as indicated below, matters designated "Final Ruling" will not be called and counsel need not appear at the hearing on such matters. Matters designated "Tentative Ruling" or "No Tentative Ruling" will be called.

ORAL ARGUMENT

For matters that are called, the court may determine in its discretion whether the resolution of such matter requires oral argument. See *Morrow v. Topping*, 437 F.2d 1155, 1156-57 (9th Cir. 1971); accord LBR 9014-1(h). When the court has published a tentative ruling for a matter that is called, the court shall not accept oral argument from any attorney appearing on such matter who is unfamiliar with such tentative ruling or its grounds.

COURT'S ERRORS IN FINAL RULINGS

If a party believes that a final ruling contains an error that would, if reflected in the order or judgment, warrant a motion under Federal Rule of Civil Procedure 60(a), as incorporated by Federal Rules of Bankruptcy Procedure 9024, then the party affected by such error shall, not later than 4:00 p.m. (PST) on the day before the hearing, inform the following persons by telephone that they wish the matter either to be called or dropped from calendar, as appropriate, notwithstanding the court's ruling: (1) all other parties directly affected by the motion; and (2) Kathy Torres, Judicial Assistant to the Honorable Fredrick E. Clement, at (559) 499-5860. Absent such a timely request, a matter designated "Final Ruling" will not be called.

1. [10-12709](#)-A-11 ENNIS COMMERCIAL
LRP-48 PROPERTIES, LLC
DAVID STAPLETON/MV

MOTION TO COMPROMISE
CONTROVERSY WITH ENNIS
COMMERCIAL PROPERTIES, LLC,
ENNIS ENTERPRISES, LLC AND THE
PLAN ADMINISTRATOR IN HIS
CAPACITY AS ADMINISTRATOR FOR
THE FORMER ASSETS OF BEN ENNIS
5-17-16 [[1649](#)]

PETER FEAR/Atty. for dbt.
JENNIFER BROOKS/Atty. for mv.

No tentative ruling.

2. [10-62315](#)-A-11 BEN ENNIS
LRP-60
DAVID STAPLETON/MV

MOTION TO COMPROMISE
CONTROVERSY WITH ENNIS
COMMERCIAL PROPERTIES, LLC,
ENNIS ENTERPRISES, LLC, AND THE
PLAN ADMINISTRATOR IN HIS
CAPACITY AS ADMINISTRATOR FOR
THE FORMER ASSETS OF BEN ENNIS
5-17-16 [[2068](#)]

RILEY WALTER/Atty. for dbt.
WILLIAM FREEMAN/Atty. for mv.

No tentative ruling.

3. [15-14327](#)-A-11 ABATECO, A CALIFORNIA
ANB-1 CORPORATION
ALLY BANK/MV
LEONARD WELSH/Atty. for dbt.
ADAM BARASCH/Atty. for mv.

MOTION FOR RELIEF FROM
AUTOMATIC STAY
5-26-16 [[174](#)]

Final Ruling

The case dismissed, the matter is dropped as moot.

4. [15-14327](#)-A-11 ABATECO, A CALIFORNIA
LKW-14 CORPORATION
ABATECO, A CALIFORNIA
CORPORATION/MV
LEONARD WELSH/Atty. for dbt.

MOTION TO BORROW
5-23-16 [[166](#)]

Final Ruling

The case dismissed, the matter is dropped as moot.

5. [15-14045](#)-A-11 JAVIER/BARBARA JUAREZ

CONTINUED STATUS CONFERENCE RE:
CHAPTER 11 VOLUNTARY PETITION
10-16-15 [[1](#)]

HILTON RYDER/Atty. for dbt.

No tentative ruling.

6. [15-12885](#)-A-11 ARS INVESTMENT GROUP,
UST-2 LLC
TRACY DAVIS/MV

MOTION TO CONVERT CASE FROM
CHAPTER 11 TO CHAPTER 7 (FILING
FEE NOT PAID OR NOT REQUIRED),
MOTION TO DISMISS CASE
5-20-16 [[143](#)]

TERRI DIDION/Atty. for mv.

No tentative ruling.